

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

UNITED STATES,
Plaintiff

vs

DAHIR NOR IBRAHIM,
Defendant

Case No. 3:10-00260-15

Hon. Haynes

*Overruled
This motion
was denied.*

MOTION TO STRIKE TESTIMONY OF MOHAMED ABDULGADIR AHMED

*Will
1/25/12*

Defendant moves to strike the direct testimony of the government's witness, Mohamed Abdulgadir Ahmed, for improper reading of his grand jury transcript at government's invitation.

Witnesses may not use a prior statement as a reading tool without the prerequisite foundation of lack of memory and that the reading would refresh that memory under FRE 612.

In support of this motion, Defendant makes reference to his Brief in Support of his Motion to Strike the testimony of Muna Abdulakadir Mohamud for the applicable case law and the cross examination of Attorney Jennifer Thompson clearly showing that the witness had no failure of memory and yet was allowed to read his Grand Jury transcript.

Respectfully submitted,

/s/ Jerry Gonzalez
Jerry Gonzalez (18379)
Attorney for Defendant (15)
2441-Q Old Fort Parkway
No. 381
Murfreesboro TN 37128
615-360-6060
jgonzalez@jglaw.net